

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MICHAEL R. SPENGLER,

Plaintiff,

v.

RICHARD MACHADO, et al.,

Defendants.

Case No. CV 17-2078-DOC (SP)

**ORDER ACCEPTING FINDINGS AND  
RECOMMENDATION OF UNITED  
STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Third Amended Complaint, records on file, and the Report and Recommendation of the United States Magistrate Judge. Plaintiff has not filed any written Objections to the Report within the time permitted. The Court accepts the findings and recommendation of the Magistrate Judge.

IT IS THEREFORE ORDERED that: (1) plaintiff's request for leave to file a Fourth Amended Complaint (docket no. 133) is denied; (2) plaintiff's motions for preliminary injunctions (docket nos. 134, 137) are denied; (3) defendant Machado's Motion to Dismiss (docket no. 104) is denied without prejudice; and (4) defendant Madrigal's Motion to Dismiss (docket no. 114) is denied without prejudice in large

1 part, and granted only with respect to her argument that this action should be stayed  
2 under the *Younger* Abstention Doctrine. Accordingly, this case is hereby stayed  
3 until the related state criminal case is no longer pending, and the Court Clerk is  
4 directed to administratively close this case. Plaintiff is instructed that, if he wishes  
5 to continue with this case after disposition of the criminal charges against him, he  
6 must file a request that the stay be lifted and the case be re-opened within sixty (60)  
7 days of the final disposition of the criminal charges (including all appeals).

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10 DATED: January 17, 2020

*David O. Carter*  
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HONORABLE DAVID O. CARTER  
UNITED STATES DISTRICT JUDGE